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MIGUEL A. CRUZ and JOHN D. HANSEN

14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16

17 MIGUEL A. CRUZ, and JOHN D. HANSEN,
18 individually and on behalf of all others
similarly situated,

19 Plaintiffs,

20 v.

21 DOLLAR TREE STORES, INC.,

22 Defendant.

CASE NO. C 07 2050 SC

23 ROBERT RUNNINGS individually, and on
24 behalf of all others similarly situated,

25 Plaintiff,

26 v.

27 DOLLAR TREE STORES, INC.,

28 Defendant.

CASE NO. C 07 04012 SC

**JOINT STIPULATION AND
(PROPOSED ORDER) FOR
CONSOLIDATION OF ACTIONS
FRCivP 42 (a)**

JUDGE: Hon. Samuel Conti
COMPLAINTS FILED: April 11, 2007
July 6, 2007
TRIAL DATES: No dates set.

1 Counsel for all Parties to the above cases hereby enter into a Stipulation
2 (and Proposed Order) consolidating the above cases (*Hansen and Cruz v. Dollar Tree*
3 *Stores, Inc.* (Case No. C 07 2050 SC) and *Runnings v. Dollar Tree Stores, Inc.* (Case
4 No. C 07 04012 SC) pursuant to FRCivP 42 (a). Such actions were previously deemed
5 related by Court Order August 30, 2007.

6 While raising separate claims, both cases have as a core allegation the
7 contention that Dollar Tree Store Managers in California are not exempt from overtime
8 payment under state and/or federal law, a contention disputed by Defendant. Both
9 cases are pled on a class basis. Both cases are at a preliminary stage in the litigation
10 with the first case management conference set for November 16, 2007. The Parties
11 therefore believe that consolidation will serve interests of efficiencies and the avoidance
12 of inconsistent rulings.

13 In entering into this Stipulation, Defendant Dollar Tree expressly reserves
14 its right and ability throughout the litigation of these matters to argue that each case
15 presents unique facts concerning, inter alia, the individualized circumstances of each
16 Plaintiff's employment with Dollar Tree. All Parties agree that this Stipulation and
17 Proposed Order cannot be used, at either class certification motion stage or at any other
18 proceeding in the litigation, to argue against Dollar Tree's position that common
19 questions of law and fact do not predominate relative to either case.

20 The Parties further reserve the right to move for a severance of the cases
21 or to otherwise separate the cases for trial or for any other purpose under applicable law.

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1 DATED: November 16, 2007

KAUFF MCCLAIN & MCGUIRE LLP

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3 By: Ma & M
4 MAUREEN E. MCCLAIN

5 Attorneys for Defendant
DOLLAR TREE STORES, INC.

6 DATED: November 16, 2007

SCOTT COLE & ASSOCIATES, APC

7
8 By: [Signature]
9 SCOTT EDWARD COLE

10 Attorneys for Plaintiff
ROBERT RUNNINGS

11 DATED: November 14, 2007

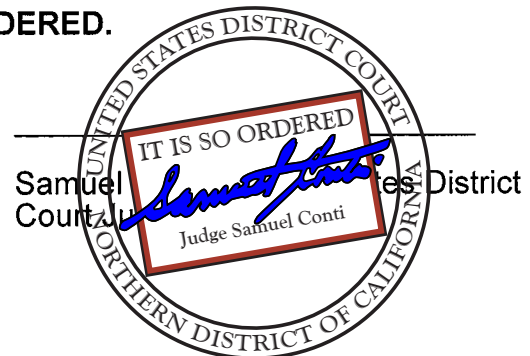
EDGAR LAW FIRM

12
13 By: [Signature]
14 JEREMY R. FIETZ, ESQ.

15 Attorneys for Plaintiffs
MIGUEL A. CRUZ and JOHN D HANSEN

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17 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

18 DATED: November 20, 2007



4839-5996-5698.1